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8 UNITED STATES DISTRICT COURT

9 SOUTHERN DISTRICT OF CALIFORNIA

10 (Magistrate Cathy A. Bencivengo))

11 UNITED STATES OF AMERICA,) CASE NO. 08CR1191 DMS
12) 08MJ1009
13 Plaintiff,) DECLARATION OF THOMAS G. GILMORE
14 vs.) IN SUPPORT OF MOTION FOR
15) VIDEOTAPE DEPOSITION AND
16 Angel Jose BERMUDEZ (D1)) SUBSEQUENT VOLUNTARY DEPORTATION
17 David PEREZ-Lemos (D2)) OF MATERIAL WITNESSES
18)
19 Defendants.) DATE: April 29, 2008
20) TIME: 10:30 a.m.
21) PLACE: Courtroom of Magistrate
22)
23)
24)
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28)

I, Thomas G. Gilmore declare:

I am an attorney duly licensed to practice before all the courts of this State, District and Circuit, and am the attorney of record for the material witnesses in the above action, Carlos DEL MONTE-Palacios, Olegario NORIEGA-Gonzalez, and Rodrigo ANGULO-Arzate.

I have personal knowledge of the facts set forth in this action and could testify competently thereto if called.

My clients in this action have been in federal custody since March 31, 2008 because they cannot locate anyone to post bond for them, although efforts to obtain sureties continue.

My clients entered the United States to find work to support family members at home in their country of origin. Each day they remain in custody is an additional hardship on themselves and their families.

Based on the above it respectfully requested that this motion
be granted, that said depositions take place at the earliest
possible time, and that my clients be allowed to voluntarily return
home to their country of origin immediately thereafter.

9 I declare under the penalty of perjury under the laws of the
10 State of California that the foregoing is true and correct of my own
11 personal knowledge except as to those matters stated to be based
12 upon information and belief and, as to those matters, I am informed
13 and believe that they are true and correct.

14 Executed this 18th day of April , 2008, in San Diego,
15 California.

/ss/ Thomas G. Gilmore
THOMAS G. GILMORE, Attorney for
Material Witnesses